GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES - Revenue (CT) Department - Case under the Prevention of Corruption (Amendment) Act, 2018 against Sri Thodeti Naga Prasad, Asst. Executive Officer (Sr.Asst), O/o. Asst.Commissioner, State Tax (ST), Guntur - Trapped on 18.07.2023 - Sanction for Prosecution under the Prevention of Corruption (Amendment) Act, 2018 - Accorded - Orders - Issued.

REVENUE (VIGILANCE-VI) DEPARTMENT

G.O.Ms.No.132 Dated.28-04-2025.

ORDER:

WHEREAS, Sri Thodeti Naga Prasad worked as Asst.Executive Officer (Sr.Asst), O/o.Asst.Commissioner, State Tax (ST), Guntur from 01.08.2022 to 18.08.2023. By virtue of the post held by his, he falls under the category of "Public Servant" as defined under section 2(c) of Prevention of Corruption Act, 1988.

2. AND WHEREAS, Sri Sundarrajan Venkatesan, S/o.Venkatesan, aged 39 years is a native of Ambal Nagar, Hasthinapuram, Kancheepuram District, Tamilnadu State. Their firm was registered under Company's Act vide Corporate Identity No.U93090TN2010PTC077798. They conduct wooden furniture exhibitions at various towns and cities in the states of south and north India. The Managing Partner of the firm is Smt.U.Chandra and her husband Sri E.Udaya Kumar is one of the Directors in the firm. They arranged a wooden furniture exhibition at Subham Kalyana Mandapam, Ring Road, Guntur from 14.07.2023 to 17.07.2023. For that purpose, on 13.06.2023, they submitted an application online for temporary GST license registration to run business in AP to the AP State GST Officials Brodipet Circle, Guntur. On 14.07.2023 morning, one Sri T.Naga Prasad, Asst.Executive Officer, State GST, Brodipet Circle, Guntur visited their exhibition at Subham Kalyana Mandapam and met Sri S.Venkatesan. Sri T.Naga Prasad informed that they have to pay advance tax towards the sales of furniture in the exhibition during the period from 14.07.2023 to 17.07.2023 at Subham Kalyana Mandapam, Guntur. Sri T.Naga Prasad demanded payment of Rs.20,000/- as an advance tax and Rs.20,000/- as their formalities (bribe) and totally Rs.40,000/-. Then, Sri S.Venkatesan informed Sri T.Naga Prasad that they are arranging exhibitions at various towns, but, never paid any amount to any State GST Officials. But, Sri T.Naga Prasad did not oblige and insisted upon payment of the advance tax and formalities. Sri S.Venkatesan then informed Sri T.Naga Prasad that he has to contact their Director Sri Uday to discuss about the matter and requested Sri T.Naga Prasad for time. Then, Sri T.Naga Prasad went away. Then, Sri S.Venkatesan contacted Sri Uday, Director of the Company and informed the same. Sri Uday instructed him to talk to the GST officials and to request the GST officials to reduce the amount if it is inevitable to pay the amount. On 17.07.2023 morning, Sri T.Naga Prasad again came and met Sri S.Venkatesan at Subham Kalyana Mandapam, Guntur along with another person and further demanded payment of Rs.40,000/-. At that time, their Business Manager Sri Basanth Kumar was also present. On further pleadings of Sri S.Venkatesan, Sri T.Naga Prasad reduced the amount to Rs.30,000/- and further asked Sri S.Venkatesan to pay the amount on that day itself. Sri S.Venkatesan said that he would talk to their Director Uday Sir and arrange the amount on the same evening or on the next morning. But, Sri T.Naga Prasad asked to pay the amount on 17.07.2023 night itself. Sri S.Venkatesan then said that he would make a call to Sri T.Naga Prasad after 7 PM after talking to their Director. Later, Sri S.Venkatesan talked to the Director Sri Uday and informed him about the demand of Rs.30,000/- by Sri T.Naga Prasad. Sri Uday said that, though he is not willing to pay bribe to Sri T.Naga Prasad, they need to do certain things to avoid future complications. Sri Uday asked Sri S.Venkatesan to pay Rs.15,000/- on 17.07.2023 night and to inform Sri T.Naga Prasad that they will pay the remaining amount on the next day. Sri S.Venkatesan did not make a call to Sri T.Naga Prasad at 7 PM as said earlier in the morning. At around 7.15 PM, Sri Naga Prasad came directly to Subham Kalyana Mandapam,

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Guntur and asked him for the amount. Sri S.Venkatesan said that Rs.15,000/- was only available at that time and that he will pay the remaining amount on the next morning. Then, Sri T.Naga Prasad collected Rs.15,000/- from Sri S.Venkatesan and asked him to arrange the remaining amount by the next morning at 11 AM. Later, Sri S.Venkatesan talked to the Director Sri Uday and informed him about the matter. He said that it is better to give a report to ACB and asked Sri S.Venkatesan to report the matter to ACB. Sri S.Venkatesan prepared the complaint dictated by Sri Uday on phone. Sri S.Venkatesan recorded the conversations that took place between him and Sri T.Naga Prasad on 17.07.2023 morning and evening in their business Manager Sri Basanth's mobile phone and he copied the two audio files in a memory card from the cell phone of Basanth. Sri S.Venkatesan gave a report to the DSP, ACB, Guntur and enclosed the memory card to this report.

3. AND WHEREAS, after following due procedure, the DSP ACB, Guntur registered the above report as a case Cr.No.09/RCT-ACB-GNT/2023 u/s.7 (a) of the Prevention of Corruption (Amendment) Act, 2018 on 18.07.2023 at 07.00 hours and took up investigation.

4. AND WHEREAS, after completion of Pre-Trap proceedings on 18.07.2023, on the instructions of DSP, Sri S.Venkatesan made a call from his cell to Sri T.Naga Prasad and informed the DSP that Sri T.Naga Prasad asked him to come to Jinnah Tower Centre, Guntur. The Trap Party led by the DSP left ACB, Guntur reached nearer to the rear side entrance gate of Gandhi Park. The DSP reiterated the instructions issued to Sri S.Venkatesan. Sri S.Venkatesan went to the Jinnah Tower Centre. Later, Sri T.Naga Prasad reached there and made a gesture by waving his hand to him to come to the place where he was standing on the road. Accordingly, Sri S.Venkatesan went to spot where Sri T.Naga Prasad was standing besides his motor cycle. Then, Sri T.Naga Prasad asked Sri S.Venkatesan whether he brought the bribe amount of Rs.15,000/- which was demanded by him. When, Sri S.Venkatesan informed that he brought the amount, Sri T.Naga Prasad asked him to give the amount. Sri S.Venkatesan then took out the wad of currency notes from the left side front pocket of his trousers and gave it to Sri T.Naga Prasad. Sri T.Naga Prasad received the amount with his left hand and later kept the same in the petrol tank cover of his motor cycle. Then, Sri S.Venkatesan went aside and gave pre arranged signal to the trap party. The trap after receiving signal, rushed towards Sri T.Naga Prasad. When, the chemical test conducted on both the hand fingers of Sri T.Naga Prasad, the left hand fingers only yielded positive result. Then, the DSP asked Sri T.Naga Prasad about the bribe amount, upon which, Sri T.Naga Prasad opened the petrol tank cover and voluntarily took out a wad of currency notes from the inner side pocket (without zip) of the petrol tank cover of his motor cycle. On the instructions of DSP, the mediators took the amount from the hands of the AEO Sri T.Naga Prasad, counted, verified and compared them with that of the denomination and serial numbers of currency notes which were noted in the pre trap proceedings and they were found to be tallied. When the inner linings of the inner side pocket (without zip) of the petrol tank cover of the motor cycle bearing Regd.No.AP07 BQ 2255 from where the AEO Sri T.Naga Prasad took out the tainted currency notes to sodium carbonate test, it also yielded positive result. The DSP seized the said tainted currency notes of Rs.15,000/-, resultant solutions, petrol tank cover, relevant documents and register and recorded the statements of witnesses. The DSP prepared rough sketch of the scene of offence. Later, during investigation, the statements of witnesses have been recorded which substantiate the allegations.

5. AND WHEREAS, the above said acts of Sri Thodeti Naga Prasad, Asst. Executive Officer (Sr.Asst), O/o.Asst.Commissioner, State Tax (ST), Guntur, constitute offences punishable under section 7(a) of Prevention of Corruption (Amendment) Act, 2018.

6. AND WHEREAS, the Government of Andhra Pradesh being the competent authority to remove Sri Thodeti Naga Prasad, Asst.Executive Officer (Sr.Asst), O/o. Asst.Commissioner, State Tax (ST), Guntur from service after fully and carefully examining the material (i.e., F.I.R., Mediator Reports, final investigation report of

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DG, ACB which contain the gist of statements of the witnesses, contents of the documents and the explanation of Sri Thodeti Naga Prasad, AEO, placed before the Government in respect of the said allegations and in the circumstances of the case considered that Sri Thodeti Naga Prasad, Asst.Executive Officer (Sr.Asst), O/o.Asst.Commissioner, State Tax (ST), Guntur should be prosecuted in a Court of Law.

7. NOW THEREFORE, in exercise of the powers conferred by Clause (b) of Sub-Section (1) of Section 19 of the Prevention of Corruption (Amendment) Act, 2018, the Government of Andhra Pradesh hereby accorded sanction for prosecution of Sri Thodeti Naga Prasad, Asst.Executive Officer (Sr.Asst), O/o. Asst. Commissioner, State Tax (ST), Guntur for the above said offences punishable under Sections 7(a) of P.C. (Amendment) Act, 2018 and for any other cognate offences punishable under any other provisions of Law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PEEYUSH KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General,
Anti-Corruption Bureau,
Andhra Pradesh,
VIJAYAWADA.

//FORWARDED::BY ORDER//

SECTION OFFICER